



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held January 13, 2009, the Board took the following action:

44-E

The following item was called up for consideration:

Recommendation as submitted by Supervisor Ridley-Thomas to direct the Chief Executive Officer to report back to the Board within 30 days, on County multijurisdictional, public and private efforts to address the foreclosure and real estate fraud crisis, and to explore the feasibility of creating a comprehensive Countywide approach to addressing the impact of real estate fraud, with the creation of a Real Estate Fraud/Predatory Lending Committee, and develop a comprehensive Countywide approach to reviewing the impact of real estate fraud on the County of Los Angeles, to encompass all aspects of real estate fraud with an emphasis on predatory lending practices, including:

- a) Identification of issues pertinent to the County and its residents and their fiscal and social impact;
- b) Recommendations on how to address these issues;
- c) Forecasting the needs of the homeowners, renters, residents, communities, social service providers, and businesses;
- d) Recommendations on the outreach and public information efforts to communities, educating the public, including financial literacy courses, counseling services, and assisting the homeowner with loan modifications to prevent foreclosure;
- e) The review of the function of Sheriff's Department detectives, District Attorney Investigators, and Investigators with the Department of Consumer Affairs and any recommendations for streamlining or consolidating functions; and

(Continued on Page 2)

44-E (Continued)

- f) Recommendations on the composition of the members of this Committee, to possibly include representatives from, but not limited to, the Federal Trade Commission, the Federal Bureau of Investigation, the State Department of Real Estate and the Department of Corporations, the State Attorney General's Office, members of the County family and other municipal agencies, as well as nonprofits, advocacy groups and educational institutions;

Direct the Registrar-Recorder/County Clerk to expedite the completion of the Memorandum of Understanding with County law enforcement agencies, namely, the Sheriff's Department and the District Attorney's Office, within 30 days, so investigators may access real estate transaction records directly to shorten investigation time and utilize resources efficiently when conducting research and investigation into allegations of criminal activities and real estate fraud, and to work with the Department of Consumer Affairs to institute a mechanism where notification is sent to the homeowner on record of all real estate related documents recorded at the Registrar-Recorder's Office, and not only the Notice of Default which is the current practice; and

Direct the Acting Executive Director of the Community Development Commission to report back in one week on the status of the County's application with the U.S. Housing and Urban Development's Neighborhood Stabilization Program, as well as on the status of the County's application with the State of California's Neighborhood Stabilization Program.

The following revised statement was entered into the record for Supervisor Ridley-Thomas:

"Predatory lending and unregulated financial instruments were contributing factors that led to the collapse of the mortgage finance and real estate industries. It is understood that unscrupulous activities must be stopped and prosecuted, but the criminal and civil justice system alone will not help the individual or the community recover.

"Industry experts such as Credit Suisse have predicted the timeline and the impact of the sub-prime lending frenzy, and all indications point towards further foreclosures and real estate fraud activity as adjustable rate mortgages reset through 2011.

(Continued on Page 3)

44-E (Continued)

“In 2006, the number of foreclosures in Los Angeles County was 3,151; in 2007, this number increased almost five-fold to 14,973, touching all geographic regions. In 2008, foreclosures increased to 35,811. The numbers alone are a clear indicator of the crisis that homeowners and renters are facing.

“The economic impact of this crisis affects the County in many ways: through the allocation of resources and services, the loss of revenue generated by real estate and other transactions, the spread of blight to our neighborhoods, and the increase in the number of individuals and families who become dependent upon public assistance, just to name a few. The County clearly must take a leadership role in preparing a strategic plan for dealing with the foreclosure crisis and real estate fraud, and their impact on all facets of our community.

“The County should do all that is possible to plan for economic recovery for the community and for the residents, and to empower the individuals with tools and knowledge to assist them in handling future financial matters.”

Therefore, Supervisor Ridley-Thomas made a motion that the Board take the following actions:

1. Direct the Chief Executive Officer to report back to the Board within 30 days on County multijurisdictional, public and private efforts to address the foreclosure and real estate fraud crisis, and to explore the feasibility of creating a comprehensive Countywide approach to addressing the impact of real estate fraud, with the creation of a Real Estate Fraud/Predatory Lending Task Force, and develop a comprehensive Countywide approach to reviewing the impact of real estate fraud on the County of Los Angeles, to encompass all aspects of real estate fraud with an emphasis on predatory lending practices, including:
  - Identification of issues pertinent to the County and its residents and their fiscal and social impact;
  - Recommendations on how to address these issues;
  - Forecasting the needs of the homeowners, renters, residents, communities, social service providers, and businesses;

(Continued on Page 4)

44-E (Continued)

- Recommendations on the outreach and public information efforts to communities, educating the public, including financial literacy courses, counseling services, and assisting the homeowner with loan modifications to prevent foreclosure;
  - The review of the function of Sheriff's Department Detectives, District Attorney Investigators, and Investigators with the Department of Consumer Affairs and any recommendations for streamlining or consolidating functions; and
  - Recommendations on the composition of the members of this Task Force, to possibly include representatives from, but not limited to, the Federal Trade Commission, the Federal Bureau of Investigation, the U.S. Attorney's Office, the State Department of Real Estate and the Department of Corporations, the State Attorney General's Office, members of the County family and other municipal agencies, as well as nonprofit agencies, advocacy groups and educational institutions;
2. Direct the Registrar-Recorder/County Clerk to expedite the completion of the Memorandum of Understanding with County law enforcement agencies, namely, the Sheriff's Department and the District Attorney's Office, within 30 days, so investigators may access real estate transaction records directly to shorten investigation time and utilize resources efficiently when conducting research and investigation into allegations of criminal activities and real estate fraud, and to report back in two weeks, in conjunction with the Department of Consumer Affairs, on the feasibility of instituting a mechanism where notification, including foreclosure prevention options and resources, are provided to the homeowner on record when a Notice of Default is recorded with the Registrar-Recorder/County Clerk's Office; and
3. Direct the Acting Executive Director of the Community Development Commission to report back in one week on the status of the County's application with the U.S. Housing and Urban Development's Neighborhood Stabilization Program, as well as on the status of the County's application with the State of California's Neighborhood Stabilization Program.

(Continued on Page 5)

Supervisor Antonovich made the following statement:

“On December 10, 1991, on my motion, the Board instructed the Registrar-Recorder/County Clerk (RR/CC), and interested Departments, to develop legislation to provide property owners with early notice of attempted transfers (to prevent scam artists from preying on the elderly by asking them to sign documents that were actually deed title changes).

“Senate Bill 1842 (Watson), implemented in 1993, allowed the RR/CC to charge an additional fee on certain documents to fund the existing ‘Real Estate Fraud Notification Program.’”

Therefore, Supervisor Antonovich made a suggestion that Supervisors Ridley-Thomas’ motion be amended to direct the Chief Executive Officer to include in his report a clear explanation of how the aforementioned Real Estate Fraud Program will be supported so that it does not diminish the effectiveness of the existing “Real Estate Fraud Notification Program” implemented in 1993. Supervisor Ridley-Thomas accepted Supervisor Antonovich’s amendment.

After discussion, on motion of Supervisor Ridley-Thomas’, seconded by Supervisor Antonovich, unanimously carried, the Board took the following actions:

1. Directed the Chief Executive Officer to report back to the Board within 30 days on County multijurisdictional, public and private efforts to address the foreclosure and real estate fraud crisis, and to explore the feasibility of creating a comprehensive Countywide approach to addressing the impact of real estate fraud, with the creation of a Real Estate Fraud/Predatory Lending Task Force, and develop a comprehensive Countywide approach to reviewing the impact of real estate fraud on the County of Los Angeles, to encompass all aspects of real estate fraud with an emphasis on predatory lending practices, including:
  - Identification of issues pertinent to the County and its residents and their fiscal and social impact;
  - Recommendations on how to address these issues;
  - Forecasting the needs of the homeowners, renters, residents, communities, social service providers, and businesses;

(Continued on Page 6)

44-E (Continued)

- Recommendations on the outreach and public information efforts to communities, educating the public, including financial literacy courses, counseling services, and assisting the homeowner with loan modifications to prevent foreclosure;
  - The review of the function of Sheriff's Department Detectives, District Attorney Investigators, and Investigators with the Department of Consumer Affairs and any recommendations for streamlining or consolidating functions;
  - Recommendations on the composition of the members of this Task Force, to possibly include representatives from, but not limited to, the Federal Trade Commission, the Federal Bureau of Investigation, the U.S. Attorney's Office, the State Department of Real Estate and the Department of Corporations, the State Attorney General's Office, members of the County family and other municipal agencies, as well as nonprofit agencies, advocacy groups and educational institutions; and
  - A clear explanation of how the aforementioned Real Estate Fraud Program will be supported so that it does not diminish the effectiveness of the existing "Real Estate Fraud Notification Program" implemented in 1993;
2. Directed the Registrar-Recorder/County Clerk to expedite the completion of the Memorandum of Understanding with County law enforcement agencies, namely, the Sheriff's Department and the District Attorney's Office, within 30 days, so investigators may access real estate transaction records directly to shorten investigation time and utilize resources efficiently when conducting research and investigation into allegations of criminal activities and real estate fraud, and to report back in two weeks, in conjunction with the Department of Consumer Affairs, on the feasibility of instituting a mechanism where notification, including foreclosure prevention options and resources, are provided to the homeowner on record when a Notice of Default is recorded with the Registrar-Recorder/County Clerk's Office; and

(Continued on Page 7)

44-E (Continued)

3. Directed the Acting Executive Director of the Community Development Commission to report back in one week on the status of the County's application with the U.S. Housing and Urban Development's Neighborhood Stabilization Program, as well as on the status of the County's application with the State of California's Neighborhood Stabilization Program.

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Copies distributed:

Each Supervisor  
Sheriff  
Chief Executive Officer  
County Counsel  
Acting Executive Director of the  
Community Development Commission  
Director of Consumer Affairs  
District Attorney  
Registrar-Recorder/County Clerk